

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

Footit Fence
Range Improvement Project

Categorical Exclusion (CX)
DOI-BLM-MT-C020-2013-0167-CX

For Further Information Please Contact:

Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301
406-233-2800

BLM



UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

A. Background

BLM Office: Miles City Field Office

Lease/Serial/Case File No.:

NEPA Number (if applicable): DOI-BLM-MT-C020-2013-0167-CX

Proposed Action Title/Type: Footit Fence

Location of Proposed Action (include county): T. 19N R 33E. Section 33 Garfield
County Montana

Description of Proposed Action:

A four strand barbed wire fence is to be constructed on BLM. This fence would be constructed in T 19N. R 33E SWNE Section 33 along the south side of the road. The length of fence moved will be ½ mile. It will be moved approximately 300 yards south of the existing fence. The fence consists of four strands of barbed wire. The total height of the fence will be 42 inches with spacing from the ground up of 16"-26"-34"-42".

B. Land Use Plan Conformance

Land Use Plan Name: Big Dry RMP

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Big Dry RMP Date Approved/Amended: 1994

The proposed action is in conformance with the land use plan.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

This proposed action is in conformance with the Big Dry RMP ROD approved in 1996, as amended by the Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota ROD approved in 1997. The Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota,

and South Dakota ROD states on page 11 “guidelines are best management practices, treatments and techniques, and implementation of range improvements...”Page 14 of the Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota ROD, states “guidelines are provided to maintain or improve resource conditions in uplands and riparian habitats available to livestock grazing.”

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the following.

516 DM 2, Appendix 3, 1.7

Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

516 DM 11.9

A. Fish and Wildlife

1. Modification of existing fences to provide improved wildlife ingress and egress.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and, as documented below, none of the extraordinary circumstances described in 516 DM2 apply.

Extraordinary Circumstances		
The project would:		
1. Have significant impacts on public health or safety.		
Yes	No X JOH 6/1/13	Rationale: The proposed action is to construct a fence in T 19N. R 33E SWNE Section 33 along the south side of the road. Construction of the fence would not have significant impacts on public health or safety.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No X JOH 6/1/13	Rationale: <i>Resources including special designations are not present. An interdisciplinary team has reviewed the resources of the human environment and other resources. New resources or impacts were not identified.</i>

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No X JOH 6/1/13	Rationale: <i>No controversial or unresolved conflicts have risen in this planning area. Fences have been historically installed and modified in this area.</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No X JOH 6/1/13	Rationale: <i>The project would have no highly uncertain or potentially significant environmental effects. Based on the ID Team review, new circumstances were not identified and the consequences of the proposal remain certain.</i>
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No X JOH 6/1/13	Rationale: <i>The action is not connected to another action that would require additional environmental analysis. The action would not set a precedent for future actions that would normally require environmental analysis. This action would not have a direct relationship to other actions that would result in any cumulative significant environmental effects.</i>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No X JOH 6/1/13	Rationale: <i>There would be no cumulative impacts from this project in addition to those identified in the Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS completed in August of 1999.</i>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
Yes	No X	Rationale: <i>Confirm that cultural surveys have been completed; the appropriate data bases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.</i> <i>The proposed action has been reviewed for impact to cultural and paleontological resources. The proposed action would not impact cultural or paleontological resources (See BLM Cultural Resources Report Mt-020-13-203). The proposed action meets the inventory exemption for fences found in BLM Montana/Dakotas</i>

		<p><i>Cultural Resources Handbook H-8110-1, Appendix One, Range 2. The proposed fence would have no effect to cultural properties listed on or eligible for listing on the National Register of Historic Places.</i></p> <p><i>DM 06/11/2013</i></p>
<p>8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p>		
Yes	<p>No X KU 6/1/13</p>	<p>Rationale: This area does not provide habitat for T&E species.</p>
<p>9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.</p>		
Yes	<p>No X JOH 6/1/13</p>	<p>Rationale: <i>The MCFO ID Team reviewed the proposed action and have determined based upon information that it would not violate any Federal, State, Tribal or local laws proposed for protection of the environment..</i></p>
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).</p>		
Yes	<p>No X JOH 6/1/13</p>	<p>Rationale: <i>The proposed action considered in the course of this analysis has not resulted in any identifiable effects or issues specific to any minority or low income population or community as defined in Executive Order 12898</i></p>
<p>11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).</p>		
Yes	<p>No X</p>	<p>Rationale: <i>Consultation with tribes regarding Indian sacred sites must take place</i></p> <p>The proposed action would not limit access or affect uses of public lands. The Ethnographic Overview for Southeast Montana lists no areas of concern in relation to the proposed action.</p> <p>DM 06/11/2013</p>
<p>12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the</p>		

introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes	No X JOH 6/1/13	Rationale: <i>Action will not contribute to the spread of noxious weeds. Machinery will be inspected for dirt and debris. If dirt and debris is present, machinery will be washed to remove all potential threat of weed seed dispersion.</i>
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6/18/2013

Environmental Coordinator

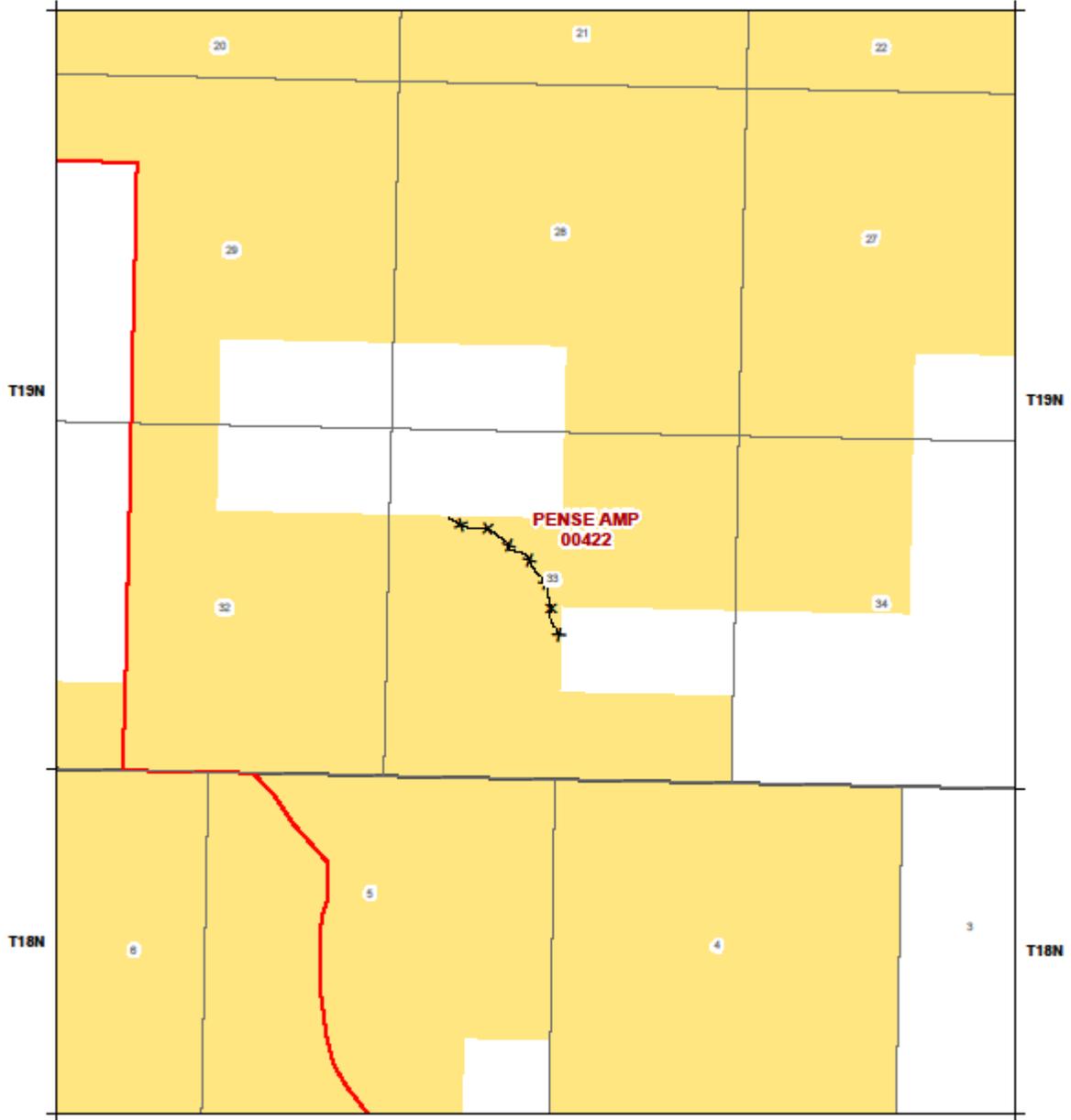
Date



Footit Fence



R32E



- RP_line
- all other values-
- Category_Type
- x Fence
- Pipeline
- Altitude Boundary
- Private
- Bureau of Land Management

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.



R32E

6/11/2013

1:24,000



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MILES CITY FIELD OFFICE

CAUTION:
Land ownership data is derived from less accurate data than the 1:24000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.

I considered this proposed action and the design feature for installation of this project. It does not cause any significant impacts. Use of this CX is appropriate.

D: Signature



Authorizing Official: _____ Date: 6/18/2013

(Signature)

Name: Todd D. Yeager

Title: Field Manager

Administrative Review or Appeal Opportunities

[State whether the decision is or is not subject to administrative appeal (based on regulations for programs). If it is subject to appeal, provide the citation of the appeal rules and provide appeal information.]

Contact Person

Josh Halpin

Rangeland Management Specialist

Miles City Field Office, Miles City, Montana

406-233-3168

Decision
DOI-BLM-MT-C020-2013-0167-CX

Decision and Rationale on Action

I have decided to implement the proposed action of DOI-BLM-MT-C020-2013-0167-CX as described below.

A four strand barbed wire fence is to be constructed on BLM. This fence be constructed in T 19N. R 33E Section 33 along the south side of the road. The length of fence moved will be ½ mile. It will be moved approximately 300 yards south of the existing fence. The fence consists of four strands of barbed wire. The total height of the fence will be 42 inches with spacing from the ground up of 16"-26"-34"-42". The existing pasture fence is in a poor location for wildlife movements, particularly big game and re-location of the fence (approximately 300 yards) will better facilitate these movements.

In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required under the National Environmental Policy Act (as documented in the attached CX, NEPA Compliance [Section C]).

Implementation Date

This project will be implemented on or after June 18, 2013.



6/18/2013

Signature
Todd D. Yeager
Field Manager

Date

Administrative Review or Appeal Opportunities

This decision is not subject to administrative appeal.

Contact Person

Matt Lewin
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Miles City Field Office, Miles City, Montana
406-233-2834